

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

----- x
TARASIK ABDELL, et al.,

Plaintiffs,

-versus-

05 Civ. 8453 (KMK)(JCF)

THE CITY OF NEW YORK; MICHAEL
BLOOMBERG, Mayor of the City of New York,
RAYMOND KELLY, Commissioner of the New
York City Police Department, TERRENCE
MONAHAN, Assistant Chief of the New York City
Police Department, and JOHN and JANE DOES,

**DECLARATION OF
MICHAEL L. SPIEGEL**

Defendants.
----- x

State of New York)
) ss.:
County of New York)

MICHAEL L. SPIEGEL, an attorney duly admitted to practice before the courts of the
State of New York and this Court, hereby affirms under the penalties of perjury as follows:

1. I am the attorney for plaintiff plaintiffs. I make this declaration in support of
plaintiffs' motion, pursuant to Rule 15 of the Federal Rules of Civil Procedure for an order
granting leave to file an amended complaint adding Thomas Galati as a defendant herein.

2. Plaintiffs commenced this action by filing a Complaint on September 30, 2005.
The Complaint is attached as Exhibit A.

3. On November 29, 2005, New York City Police Department Inspector Thomas
Galati testified at a consolidated deposition in the "RNC Cases." At the deposition, he stated that
he had participated in a joint decision with Assistant Chief Terence Monahan to place plaintiffs

under arrest.

4. On March 2, 2006, I conferred by telephone with Assistant Corporation Counsel Jeffrey Dougherty. I requested that he consent to the filing of an amended complaint adding Galati as a defendant. Mr. Dougherty consented to adding Galati as to federal claims, but objected to naming Galati as a defendant on the state law claim of false arrest and imprisonment. Mr. Dougherty cited the New York State statute of limitations for intentional torts as the basis for his position.

Dated: New York, New York
March 17, 2006

s/

MICHAEL L. SPIEGEL [MS-0856]